

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ORDER
RELATING TO ELECTRONIC CASE FILING

Federal Rule of Civil Procedure 5(e) and Federal Rules of Bankruptcy Procedure 5005(a)(2), 9011, 9029, and 9036 authorize this Court to establish practices and procedures for the filing, signing, and verification of filings and documents by electronic means. This Order sets forth those practices and procedures.

IT IS ORDERED that:

1. The *Administrative Procedures for Filing, Signing, and Verifying Documents by Electronic Means* have been presented to this Court and are hereby approved. The Court will revise and update the *Administrative Procedures* as needed and notify the bar of such revisions. The *Administrative Procedures* and subsequent revisions will be posted on the Court's web site at <http://www.dcb.uscourts.gov>
2. Beginning June 1, 2005, Electronic Case Filing (ECF) will be mandatory for:
 - all active members, in good standing, of the United States District Court for the District of Columbia bar and all attorneys of the U.S. Trustee's office filing and practicing in the United States Bankruptcy Court for the District of Columbia.
 - creditors and claimants who annually file more than twenty (20) proofs of claim or similar documents (such as assignments of claims, and Federal Rule of Bankruptcy Procedure ("FRBP") 2002(g) requests) must file electronically. Creditors and claimants who annually file less than twenty (20) proofs of claim or similar documents may file electronically, but are not required to do so.

Pro se debtors and other parties (other than creditors and claimants) not represented by counsel **may not** file

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

electronically; therefore, the *Administrative Procedures* do **not** apply to such filers.

3. The provisions of this Order shall apply to all cases previously filed, proceedings presently pending, and those subsequently filed in the United States Bankruptcy Court for the District of Columbia.
4. Any Order signed electronically and hence without the original signature of the judge shall have the same force and effect as if the judge had affixed his signature to a paper copy of the order and entered it in a conventional manner. Papers (such as discharges of debtors and notices) that are issued and entered by the Clerk's Office are similarly effective when signed electronically.
5. Electronically filed documents may be filed twenty-four (24) hours a day in the Court's Case Management/Electronic Case Filing ("CM/ECF") system. Electronically filed documents will constitute simultaneous filing of the document and entry of that document on the docket kept by the Clerk of Court in accordance with FRBP 5003.
6. The electronic filing of documents shall be suspended if, under extraordinary circumstances, CM/ECF is out of service. The Clerk's Office will maintain a log of these occurrences for reference purposes. If and when CM/ECF will be unavailable due to routine maintenance, the Clerk's Office will post advance notice on the Court's web site at <http://www.dcb.uscourts.gov> and on the CM/ECF main screen.
7. When the Clerk's Office scans paper documents filed by pro se filers and non-CM/ECF participants and docketed such filings in CM/ECF, the electronically scanned document shall constitute the official record of the Court. With the exception of the Voluntary Petition and the Statement of Social Security Number (Form B-21), the

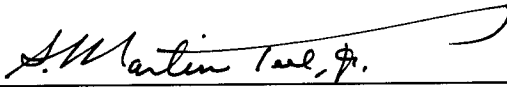
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

Clerk's Office may discard all filed paper documents that have been scanned electronically.

8. Amendments to this Order and the *Administrative Procedures for Filing, Signing, and Verifying Documents by Electronic Means* may be entered as necessary.
9. Nothing contained in this Order is intended, or shall be construed to alter or modify any party's duties under the provisions of the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure.

This Order is effective June 1, 2005

SIGNED this 26th day of May, 2005



S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

THIS PAGE LEFT INTENTIONALLY BLANK

UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLUMBIA

ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING, AND VERIFYING
DOCUMENTS BY ELECTRONIC MEANS

(NOTE: Pro se debtors and other parties (other than creditors and claimants) not represented by counsel may not file electronically; therefore, these Administrative Procedures do not apply to such filers.)

Dated: _____, 2005

THIS PAGE LEFT INTENTIONALLY BLANK

TABLE OF CONTENTS

I. REGISTRATION FOR THE ELECTRONIC CASE FILING SYSTEM .	1
A. Terms	1
B. Designation of Cases	1
C. Registration	1
D. Passwords	5
II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS	7
A. Filing	7
B. Signatures	9
C. Service	11
D. Title of Docket Entries	13
E. Correcting Docket Entries	14
F. Consequence of Electronic Filing	14
G. Fees Payable to the Clerk	15
H. System Failures	16
I. Exhibits	17
J. Appeals	18
III. CONVENTIONAL FILING OF SEALED DOCUMENTS.	18
IV. ORDERS	19
A. Proposed Orders	19
B. Consent Orders/Reaffirmation Agreements.	20
C. Notice of Orders and Judgments by the Court	20
V. PUBLIC ACCESS TO THE DOCKET BY NON ELECTRONIC USERS .	21
A. Internet Access	21
B. Public Access at the Court	21
C. Privacy Provisions	22
D. Antiviral Software	23
E. Conventional Copies and Certified Copies	23
VI. EXHIBITS	
A. Exhibit A: Attorney ECF Registration Form	
B. Exhibit B: Creditor/Claimant/Limited-Use Registration Form	

I. REGISTRATION FOR ELECTRONIC CASE FILING (ECF)

A. Terms

1. "CM/ECF" refers to the Court's Case Management/Electronic Case Filing system that receives documents filed in electronic form.
2. "Electronic User" (or "User") refers to those who have a court-issued login and password to file documents electronically.
3. "Notice of Electronic Filing" ("NEF") refers to the notice automatically generated by CM/ECF each time a document is filed or a docket event is entered.

B. Designation of Cases

Cases filed **on and after October 6, 2003** are completely electronic and are part of the Court's CM/ECF system. All cases opened **prior to October 6, 2003** are in paper form prior to this date and in electronic form thereafter. Therefore, all petitions, motions, memoranda of law, or other documents filed after October 6, 2003 in cases opened prior to October 6, 2003 must be filed electronically, except as expressly provided or in circumstances where the User is prevented from filing electronically (i.e., CM/ECF system failure). Notwithstanding the foregoing, parties who are not Users in CM/ECF are not required to file documents electronically.

C. Registration

All Users must complete and submit a registration form even if the User uses CM/ECF in another federal court. Both the Attorney and Creditor/Claimant/Limited-User Registration Forms are available on the Court's web site at http://www.dcb.uscourts.gov/cm_ecf.htm

1. An Attorney ECF Registration Form, in the form attached hereto as Exhibit A, must be submitted for each attorney User. A separate registration form must be submitted for each attorney within a particular law firm.
 - a. In order for an attorney User to register for CM/ECF, the attorney must be an active member, in good standing, of the bar of the United States District Court for the District of Columbia.
 - b. Attorney Users must provide the Clerk's Office with a current e-mail account for use in CM/ECF. When an attorney changes his or her e-mail address, the attorney must update his or her CM/ECF account information to include the new e-mail address.
2. A Creditor/Claimant/Limited-User Registration Form, in the form attached hereto as Exhibit B, may be submitted by any entity desiring to use CM/ECF for the following limited purposes, that do not require the appearance of legal counsel:
 - a. Modification of Creditor Information
 - b. Notices of Appearance and Request to Add Party to Matrix
 - c. Notices of Appearance (for Attorneys representing Creditors)
 - d. Proofs of Claim
 - e. Reaffirmation Agreements
 - f. Reclassifications of Claims
 - g. Request to Withdraw Document
 - h. Transfers of Claims
 - i. Withdrawals of Claims
3. Registration forms may be hand-delivered, mailed, or faxed to the Clerk's Office at 202-273-0049.

4. Upon approval of the submitted registration form, each User will receive training information from the Clerk's Office via e-mail. After successful completion of the Court's training, each User will receive a CM/ECF login and password.

a. **Experienced Attorney Users.** Attorney Users who received classroom CM/ECF instruction in another federal court are required to complete on-line training exercises in this Court's CM/ECF training database. This on-line training is in lieu of additional classroom training. The exercises will be e-mailed to the attorney after the Clerk's Office receives the attorney's registration form.

b. **New Attorney Users.** Attorneys who are new to CM/ECF are required to attend one of the Clerk's Office's CM/ECF training sessions. Training dates and times are posted on the Court's web site at http://www.dcb.uscourts.gov/cm_ecf_training.htm Attorneys should call the Clerk's Office CM/ECF Help Desk at 202-565-2506 in advance to schedule training.

5. The Clerk's Office has prepared training materials and user resources, including an Attorney User's Guide and a Creditor/Claimant/Limited-User Manual. These resources will be updated as necessary and are available on the Court's web site at http://www.dcb.uscourts.gov/cm_ecf.htm. The Clerk's Office will send an e-mail notice to all Users when materials are updated and posted to the Court's web site.
6. Upon successful completion of the training, each User will receive a login and password to the Court's live CM/ECF system.

Users may wish to change their Court-issued login and password. User account information may be modified by using the Account Maintenance option in the CM/ECF Utilities menu. After a User changes his or her password, the Court no longer has knowledge of the User's password. Therefore, if a User changes his or her password and subsequently loses or forgets the new password, the User will need to contact the Clerk's Office for issuance of a new password.

7. If any of the information on the Registration form changes (e.g., mailing address, e-mail address, etc.) the User must submit an Amended Registration form to the Clerk's Office. Likewise, when an attorney changes law firms, the attorney must submit an amended registration form and receive a new password from the Clerk's Office. It is the attorney's responsibility to notify the Clerk's Office as soon as such changes occur.

D. Passwords

1. The password required to submit documents to CM/ECF serves as the User's original signature on all electronic documents filed with the Court. The password also serves as a signature for purposes of FRBP 9011, other Federal Rules of Bankruptcy Procedure, the local rules of this Court, and any other purpose for which a signature is required in connection with proceedings before this Court.

Electronically filed documents must include a signature block that sets forth the name, address, telephone number, and (in the case of an attorney) the attorney's bar registration number. In addition, the name of the User under whose login and password the document is submitted must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. (e.g., "/s/ Jane Doe")

Even when a User delegates or shares the User's password with associates, paralegals, secretaries, and other individuals, the User is solely responsible for all documents filed via the User's password. Likewise, if a User has e-mail Notices of Electronic Filing sent to associates, paralegals, secretaries, and other individuals, the User is solely responsible for managing, maintaining, and, when necessary, responding to all Notices of Electronic Filing.

2. Participation in CM/ECF, by receipt of a password from the Court, shall constitute a request from the User for electronic service and notice pursuant to FRBP 9036. Users, by receiving a password from the Court, agree to receive notice and service by electronic means. Registration and receipt of a CM/ECF password constitutes:

- a. Waiver of the right to receive notice by first class or certified mail and consent to receive notice electronically; and
 - b. Waiver of the right to service by personal service, first class or certified mail, and consent to electronic service, except with regard to service commencing an adversary proceeding or a contested matter. Waiver of service and notice by first class or certified mail applies to notice of the entry of an order or judgment under FRBP 9022.
- 3. The Court may revoke a User's password, and, therefore, the User's authority and ability to electronically file documents, for:
 - a. Failure to comply with any provision of the agreement contained in the User's registration form.
 - b. Failure to adequately protect his or her password.
 - c. Failure to comply with the provisions of these *Administrative Procedures for Electronically Filed Cases*.
 - d. Failure to pay fees required for documents filed electronically.
 - e. Other misuse of CM/ECF.
 - f. As a sanction ordered by the Court after notice and opportunity for hearing.

II. ELECTRONIC FILING AND SERVICE

A. Filing

1. All petitions, motions, memoranda of law, or other documents, except for creditor matrices, are to be converted into Portable Document Format (PDF) and filed directly into CM/ECF. Creditor matrices are to be filed in a similar manner, but in text (.txt) format.
2. In order for a User to submit filings or documents in paper format, the User must request a judicial waiver via a motion to the Court. If paper filings or documents are submitted without a waiver, the Clerk's Office may proceed with steps to possibly strike the document.
3. For entities that file more than twenty (20) proofs of claim (or similar documents) in a calendar year, a judicial waiver will be required to file such documents in paper format. If paper documents are submitted without a waiver, the Clerk's Office may proceed with steps to possibly strike the document.
4. Parties not represented by counsel (other than creditors filing proofs of claims and similar documents) shall file documents conventionally in paper format with the Clerk's Office. These documents will be scanned into PDF format by either the Clerk's Office or the non-registered filer. Filers may be required to scan their documents in the Clerk's Office using equipment provided by the Court. The Clerk's Office will then docket or file the documents in CM/ECF.

With the exception of the Voluntary Petition, photo identification if applicable, and Statement of Social Security Number (Form B-21), the paper documents filed by pro se filers will be discarded without further notice. (In March 2005, the Judicial Conference determined that the electronic record is the official record for all bankruptcy cases.)

5. Because CM/ECF is a "real-time" system, the receipt of filing will show the actual date and time a document was filed in CM/ECF. Documents submitted electronically in CM/ECF outside of normal business hours will be deemed filed on the date and time received. For example, if a document is received at 7:30 P.M. on April 13, 2005, the receipt of filing will show that date and time, and the document will be deemed filed as of that date and time. Deadlines will not change as a result of this policy. The deadline for filing, unless otherwise specifically set, is 11:59:59 P.M. of the due date (Eastern Time).
6. The User must designate a title for the filing by selecting the appropriate event title from the categories provided in CM/ECF. (See also paragraph II.D. of these *Administrative Procedures*.) Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office.
7. Users seeking to file emergency motions or other expedited matters shall contact the Clerk's Office by telephone at 202-565-2512 immediately after filing such documents. Failure to notify the Clerk's Office of such filing within one hour of the time stated on the Notice of Electronic Filing, may result in denial of the request for expedited or emergency relief, or a delay in action on the motion.

8. Filings relating to matters scheduled for hearing such as motions to continue, proposed consent orders, and similar filings that affect a matter that is scheduled for hearing, must be filed by 4:30 P.M. the day before the scheduled hearing or the matter will remain on the calendar and counsel will be required to attend the hearing. If a User files a document that affects a matter on the calendar after 4:30 P.M. the day before a scheduled hearing, the User shall also notify the Courtroom Deputy of such filing by telephone at 202-565-2512.

B. Signature

1. The electronic filing of a petition, motion, claim, or other document by a User shall constitute the signature of that User under FRBP 9011 and other applicable rules.
2. All filings and documents electronically filed shall either contain a scanned image of any signature or indicate the signature by placing "/s/ Jane Doe" where the original signature occurs.

3. The filing of documents requires original or verified signatures.

- a. **Electronic filings by registered Users with legal representation.**

Petitions, lists, schedules, statements, amendments, affidavits, and other filings and documents that must contain original signatures or that require verification under FRBP 1008 or an unsworn declaration as provided in 28 U.S.C. Section 1746 may be filed electronically by registered attorney Users in CM/ECF. **The User must retain a copy of the document containing an original signature for five (5) years after the closing of the case.** This requirement does not apply to the User's own signature: the User's electronic filing of a paper with the User's signature indicated on the document constitutes an original signature of the User.

- b. **Pro Se Filings**

Parties not represented by counsel or pro se individuals shall file documents in paper format. The documents will be scanned into PDF format by the Clerk's Office and docketed into CM/ECF. With the exception of the Voluntary Petition, photo identification if applicable, and Statement of Social Security Number (Form B-21), the paper documents filed by pro se filers will be discarded without further notice. (In March 2005, the Judicial Conference determined that the electronic record is the official record of all bankruptcy cases.)

4. **Stipulations/Joint Motions**

In the case of a stipulation, a joint motion, or other document to be signed by two or more persons, the following procedure shall be used:

- a. The User shall initially confirm that the content of the document is acceptable to all persons required to sign the document, and **shall obtain and have in the User's possession the signature of each party on the document or proof that each signature is authorized in writing (with the form of authorization - e.g., "faxed signature" or "e-mail-authorized signature" - indicated on the electronically filed document).**
- b. The User shall then file the document electronically, indicating the signatories (e.g., "/s/ Jane Doe," "/s/ John Doe," etc).
- c. The User shall retain the paper copy of the document containing each original signature (or the writing authorizing the signature) for a period of five years after the case is closed.

C. Service

1. Whenever a filing or document is filed electronically in accordance with these *Administrative Procedures*, CM/ECF will automatically generate a "Notice of Electronic Filing" ("NEF") at the time of docketing. The NEF will be sent automatically to all parties in the case who are registered Users in CM/ECF.
2. Participation in CM/ECF, by receipt of a password provided by the Court, shall constitute a request for service and notice by electronic means pursuant to FRBP 9036. Users in CM/ECF, by possessing a password from the Court, agree to receive notice and service by electronic means both from the Court and from other ECF Users. This does not apply to the commencement of an adversary proceeding (which requires service of a summons and complaint under FRBP 7004) or to service commencing a contested matter.

3. When an attorney files a document electronically, CM/ECF automatically serves the NEF by electronic means and such service will be considered the equivalent of service of the document by first class mail, postage prepaid, **if and only if** the recipient of the notice or service is either a registered User or has agreed in writing with the User to accept such service in lieu of service by first class mail.
4. The attorney User shall serve the filing or document upon all entitled non-Users and remaining parties, in accordance with applicable rules.
5. Whether service of a filing or document is made upon registered Users or non-registered parties (in compliance with local and federal rules), a Certificate of Service is still required for all filings. The following language is recommended for Users for certificate of service purposes when mail is used to serve a party not served by an NEF:
 - a. "The following parties are being served today either by Notice of Electronic Filing or standard first class mail:"
 - b. And then show the parties to whom service is being rendered.

The User is responsible for assuring that those parties that were not sent (e-mailed) the NEF are being served by mail or other authorized means (e.g., hand delivery).

If the Certificate of Service is not filed timely, the Clerk's Office may proceed with steps to possibly strike the document.

6. A Notice of Hearing must be filed and served by the movant for all matters requiring a hearing, and for all subsequent continuances of the matter. When a movant is given a hearing date and time for a matter by the Court, it is the movant's responsibility to file and serve the Notice of Hearing.
7. Nothing contained herein shall be construed to eliminate the necessity in an adversary proceeding of service of the summons and complaint in accordance with the Federal Rules of Bankruptcy Procedure. The return of service on the summons may be filed electronically. Nothing contained herein shall be construed to eliminate the necessity of service in accordance with the Federal Rules of Bankruptcy Procedure when a paper commences a contested matter (such as an objection to exemptions).

D. Title of Docket Entries

Registered Users are responsible for designating appropriate docket entry titles for all filings by using one of the docket event categories prescribed by the Court. If a User is unable to locate an appropriate docket entry title for a filing, the User should call the Clerk's Office CM/ECF Help Desk at 202-565-2506 for clarification and further instruction.

E. Correcting Docket Entries

Once a document is filed in CM/ECF and the NEF is generated, the document becomes part of the case docket. If errors are found in documents filed by Users, the Clerk's Office will issue an Electronic Deficiency Notice ("EDN") in the case. The EDN advises the User of the problem and provides general instructions on how to correct it. Although the EDN is sent to all Users in the case, it is the responsibility of the User who submitted the deficient filing to correct the error within seventy-two (72) hours of the issuance of the EDN. If the User does not respond to the EDN or otherwise correct the filing within 72 hours, the Clerk's Office may proceed with steps to possibly strike the document, and/or set a hearing in which the User must show cause why he or she has failed to comply with the EDN.

Attorney Users who repeatedly receive EDNs or who do not respond to EDNs in a timely manner may be required to attend additional training provided by the Clerk's Office.

F. Consequence of Electronic Filing

1. Electronic transmission of a filing or document into CM/ECF or the docketing of an event in CM/ECF, consistent with these rules, together with the transmission of a Notice of Electronic Filing from the Court, constitute filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the local rules of this Court, and constitute entry of the document on the docket kept by the Clerk of Court under FRBP 5003.

2. Whenever a filing or document has been filed, whether electronically, conventionally and subsequently imaged, or via an electronically docketed event, the official record is the electronic recording of the document as stored in CM/ECF. The filing party is bound by the document as filed or event docketed.

G. Fees Payable to the Clerk

The payment of fees generated by a filing is the responsibility of the User **at the time of filing, and the User is liable for such fees.** In the case of joint filings, the User who files the document is responsible for paying the fee at the time of filing. In CM/ECF, all filing fees must be paid electronically with a valid credit card by the User. All required fees must be paid via valid credit card within twenty-four (24) hours of the time of filing. Failure to make payment within this time period will result in the User being "locked out" of CM/ECF until the fee is paid. If fees are not received in a timely manner, steps may be taken to either reject the document or dismiss the case.

Users who are locked out of CM/ECF for failure to pay required fees at the time of filing may file subsequent documents conventionally pursuant to paragraph II.A.2 of these *Administrative Procedures*.

If an attorney User encounters a problem with the CM/ECF payment screen or is not prompted to pay a filing fee that is due, the User must call the Clerk's Office CM/ECF Help Desk at 202-565-2506.

H. System Failure

When a document must be filed or an event must be docketed immediately during normal business hours, but electronic filing cannot be accomplished because of a CM/ECF system failure, the filing party shall, after making at least two attempts to file electronically, contact the Clerk's Office at **202-565-2506** to confirm that CM/ECF is not accessible. If it is confirmed that CM/ECF is not accessible, or, if CM/ECF cannot be accessed due to a system failure during non-business hours, the filing or document shall be sent as an attachment in PDF format via e-mail to the following address:

Michael_Wint@dcb.uscourts.gov with a carbon copy to Patti_Meador@dcb.uscourts.gov.

The User must file with the document an affidavit stating the reason(s) why the document is being filed via e-mail, demonstrating compliance with the prerequisites of these *Administrative Procedures*. Users who experience a CM/ECF system failure and file documents via e-mail must call the Clerk's Office prior to 10:00 a.m. of the next business day to advise that a document has been filed via e-mail. The Clerk's Office will download and file the PDF document, which will be deemed filed on the date and time of the e-mail transmission. Nothing contained in this paragraph is intended to alter rights contained elsewhere in these *Administrative Procedures* or in local or federal rules.

I. Exhibits

1. Trial exhibits, including but not limited to leases, notes, and the like, which are not available in electronic form, shall be submitted to the Court in paper format only. The Clerk's office will indicate on the electronic docket the date such exhibits were submitted and link them to the party's exhibit list if appropriate.

Three copies (the original plus two photocopies) of trial exhibits must be provided in paper format to the courtroom deputy prior to any hearing. The paper copies will be marked as received but not docketed to the file. Trial exhibits will not be scanned by the Court unless the Court deems that doing so will assist in managing the trial. Exhibits may be filed electronically in PDF format as part of a pre-trial statement or they may be filed electronically and linked to the pre-trial statement. Paper exhibits will be marked as received into evidence and returned to the attorney User. The attorney shall retain the exhibits for the period specified by LBR 9070-1(f)(3).

2. Exhibits to Proofs of Claim

Exhibits in support of a proof of claim shall be filed electronically whenever possible and shall be docketed as one event with the proof of claim. The exhibits should be electronically imaged (i.e., scanned) and filed in PDF format together with the proof of claim.

J. Appeals

As with other electronically filed documents, Users are **no longer** required to file paper copies or courtesy copies of the Notice of Appeal with the Clerk's Office.

Pursuant to FRBP 8006, when filing the Designations of Record, Users must attach the designated records to the Designation of Record.

Pursuant to FRBP 8004, the Clerk's Office will mail a paper copy of the Notice of Appeal to any and all **non-**Users.

III. CONVENTIONAL FILING OF SEALED DOCUMENTS

Notwithstanding Local Bankruptcy Rule 5005-1(a), a motion to file documents under seal shall be filed electronically without attaching the documents that are the subject of the motion. Contemporaneously with filing the motion to file documents under seal, the User shall conventionally file, in paper format, the documents sought to be placed under seal with the Court for its review. If the motion to file under seal is granted, the related documents will be maintained by the Clerk's Office under seal until further order.

The motion to file documents under seal should include a date or deadline for the unsealing of the documents.

IV. ORDERS

A. Proposed Orders

1. Submission of Proposed Orders

In CM/ECF, Users must file all proposed orders as attachments to the related filings. Additionally Users must upload all proposed orders into CM/ECF for the Court's use in the Electronic Order Processing System ("E-Orders"). Proposed orders in bankruptcy cases must be uploaded via the CM/ECF Bankruptcy menu. Likewise, proposed orders in adversary cases must be uploaded via the CM/ECF Adversary menu.

2. Format of Proposed Orders

- a. All proposed orders must have a four (4) inch margin on the top of the first page.
- b. The order must be in PDF format.
- c. The heading of the order must include (same requirements as conventionally filed orders):
 - i. The name of the Court (jurisdiction)
 - ii. Full case number
 - iii. Debtor's, Plaintiff's, or Defendant's full name(s)
 - iv. Name of the order
- d. All signatures, including those of unregistered users, are to be indicated by placing "/s/ Jane Doe" where the original signature occurs. In accordance with Paragraph II.B.4, any signatures obtained for consent purposes are to be kept on file by the party submitting the order.

B. Consent Orders/Reaffirmation Agreements/Court-Directed Orders

A User seeking to file a consent order or reaffirmation agreement shall conform to the standards set forth in Paragraph II.B.4.

Unless otherwise ordered by the Court, the submission of consent orders and court-directed orders (i.e., orders directed by the Court to be submitted following a hearing or trial) shall be accomplished by electronic means by using one of the following two CM/ECF docketing events located in the "Bankruptcy or Adversary" and "Other or Miscellaneous" menus:

1. Proposed Consent Order
2. Proposed Order (Corrections, Deficiencies, OTBS, etc.)

C. Notice of Orders and Judgments by the Court

1. Immediately upon the entry of an order or judgment, CM/ECF will automatically generate to all Users in the case, an electronic NEF. Electronic transmission of the NEF constitutes the notice required by FRBP 9022. In accordance with the Federal Rules of Bankruptcy Procedure, the Clerk will provide paper notice to all parties who are not registered Users.
2. All orders signed electronically (i.e., "/s/ ") shall have the same force and effect as conventionally signed orders.

V. PUBLIC ACCESS TO CM/ECF DOCKETS

A. Internet Access

Documents filed in CM/ECF are not viewable via the Internet without a Public Access to Court Electronic Records (PACER) login and password. A PACER login and password can be secured by contacting the PACER Service Center to establish an account. Registration may be made online at <http://pacer.psc.uscourts.gov> or by calling the PACER Service Center at 800-676-6856.

PACER allows **only** for the **viewing** of docket sheets and documents. PACER users are allowed one free viewing of the document filed and thereafter must pay for all subsequent viewings. Documents **cannot** be filed electronically in or via PACER, they may be viewed only. Likewise documents **cannot** be viewed in CM/ECF, they may be filed only. Thus, PACER is for viewing docket sheets and documents while CM/ECF is for filing documents.

Charges required by the Judicial Conference of the United States, as set out in 28 U.S.C. Sec. 1930, for the usage of the electronic access to the Court's records, are assessed in accordance with the fees and procedures established by the Administrative Office of the United States Courts.

B. Public Access at the Court

The public will have electronic access at the Clerk's Office during regular business hours for viewing the docket sheet and documents filed in CM/ECF. Filings and documents may be printed in the Clerk's Office at a cost of ten cents (\$.10) per page.

C. Privacy Provisions

In accordance with the E-Government Act of 2002 and its own policy regarding privacy and public access, the Judicial Conference of the United States (Judicial Conference), at its September 2003 session, promulgated new Official Bankruptcy Form 21 (Bankruptcy Form 21), Statement of Social Security Number(s). This form has been created to satisfy the requirement set forth in FRBP 1007(f) that a debtor must submit a verified statement of his or her social security number along with the debtor's petition. All debtors, whether filing electronically (via counsel) or conventionally, must file Bankruptcy Form 21.

For additional information regarding privacy provisions, please refer to this Court's *Public Notice of Procedural Order Applicable to All Cases and Proceedings* posted on the Court's web site at http://www.dcb.uscourts.gov/pdf_files/privacy.PDF

Bankruptcy Form 21 is a "private" filing or event in the Court's CM/ECF system; therefore, only court personnel are able to view the document and docket entry. Neither the public nor any User is able to access or view Bankruptcy Form 21 in the Court's CM/ECF system.

1. Debtors Represented by Attorney Users

- a. The attorney User must file electronically Bankruptcy Form 21 in CM/ECF. The filing attorney shall retain the signed original Bankruptcy Form 21 for five (5) years after the closing of the case.

2. Pro Se Filers

- a. A pro se (or unrepresented) filer shall submit a signed, original Bankruptcy Form 21, in paper format, to the Clerk's Office at the same time the voluntary petition is filed. The Clerk's Office will scan and file the Bankruptcy Form 21, and retain the original document for five (5) years after the closing of the case.

D. Antiviral Software

All registered Users who retrieve and effect filings must have purchased, installed, utilized, and daily updated antiviral software on all computers used to access CM/ECF.

E. Conventional Copies and Certified Copies

Conventional and certified copies of electronically filed documents may be purchased at the Clerk's Office during regular business hours. The fee for copying and certification will be in accordance with the provisions of 28 U.S.C. § 1930.

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

ELECTRONIC CASE FILING (ECF) SYSTEM ATTORNEY REGISTRATION FORM

This form shall be used to register for an account as an Electronic User ("User") in the U.S. Bankruptcy Court's Electronic Case Filing ("ECF") System. Users will have privileges both to submit documents electronically, and to view and retrieve docket sheets and documents for all cases in the District of Columbia ECF system. (NOTE: a PACER account is necessary to view and retrieve docket sheets and documents. You may register for a PACER account either online at <http://pacer.psc.uscourts.gov/> or by calling 1-800-676-6856.)

The following information is required for ECF registration:

First/Middle/Last Name: _____

Firm Name: _____

Mailing Address: _____

Attorney Phone Number: _____

E-Mail Address: _____

U. S. District Court for the District of Columbia Bar ID#: _____

Currently E-File in the Following Jurisdictions: _____

Name of Staff Member(s) Who Will be Authorized to E-File on Behalf of Attorney

Attorney Contact Person(s) and Phone Number(s) to be used when Clerk's Office Has Questions re: E-Filed Pleadings:

By submitting this registration form the applicant agrees to adhere to the Court's Administrative Order Relating to Electronic Case Filing and the following rules:

1. This access is for use only in ECF cases filed in the U.S. Bankruptcy Court for the District of Columbia. It may be used to file and view electronic documents, docket sheets, and reports. NOTE: a PACER account is necessary for this access (see above for registration information).
2. Pursuant to Federal Rule of Bankruptcy Procedure 9011, every pleading, motion, and

other paper (except lists, schedules, statements or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. A User's password issued by the court combined with the User's identification, serves as and constitutes the User's signature. Therefore, a User must protect and secure the password issued by the Court. If there is any reason to suspect the password has been compromised in any way, it is the duty and responsibility of the User to immediately notify the Court. Similarly, in the event of the resignation of a person with authority to use the password, or your decision not to allow such a person to continue to use the password, it is the duty and responsibility of the User to immediately notify the Court. The Court will immediately delete the User's existing password from ECF and issue a new password.

3. The User's registration will not waive the requirement of conventional service of a summons and complaint, a subpoena, or other judicial process necessary to obtain jurisdiction over a client in any proceeding. The User's registration will not operate as a consent to accept service of any papers in a proceeding in which the User has not entered an appearance on behalf of the User's client. In a proceeding in which the User **has** entered an appearance on behalf of the client, the User's registration will constitute a waiver in law only of conventional service of other papers that do not constitute process required to obtain jurisdiction over the User's client. That waiver, however, is only an agreement that service of such papers on the User by an e-mailed notice of electronic filing ("NEF") is adequate in lieu of conventional service. The User agrees, however, that service may be made on the User by other means authorized by applicable rules.
4. Attorneys must be active members of the bar of the U. S. District Court for the District of Columbia to file documents electronically in the U. S. Bankruptcy Court for the District of Columbia.
5. At the time of filing a document, the User is required to pay **all** filing fees generated by the filing, and the User is liable for such fees. Payment must be made as part of the filing process via the Internet with a credit card. If you have any questions regarding the payment of a fee, you **must** contact the Court's Financial Deputy Tonya Anderson at 202-565-2523 or the CM/ECF Help Desk at 202-565-2506 **before** filing the pleading.
6. By affixing a User's electronic signature to a document and e-filing that document with the Court, the User certifies that the User has on file in the User's office the original signature of each party that appears on the document (or proof that the signature was authorized, in writing, to be affixed to the document). The User is required to retain the original signed document (or the proof of written authorization to sign) of all e-filed documents for a period of five (5) years.

Applicant Signature

Date

Please return this form to:

CM/ECF Help Desk; U.S. Bankruptcy Court for the District of Columbia;

Room 4400; 333 Constitution Avenue, NW; Washington, DC 20001
or fax to: 202-273-0049

Please call our CM/ECF Help Desk with any questions 202-565-2506

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA**

**ELECTRONIC CASE FILING (ECF) SYSTEM
LIMITED-USER REGISTRATION FORM**

This form shall be used to register for an account as a Limited-User ("User") in the U.S. Bankruptcy Court's Electronic Case Filing ("ECF") System. Users will have privileges both to submit documents electronically, and to view and retrieve docket sheets and documents for all cases in the District of Columbia ECF system. (**Note:** a PACER account is necessary to view and retrieve docket sheets and documents. You may register for a PACER account either online at <http://pacer.psc.uscourts.gov/> or by calling 1-800-676-6856.)

Registering User's Name: _____
[Name of individual registering as a User]

Business/Firm Name: _____
[Name of business/firm on whose behalf User is authorized to act]

Business/Firm Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: _____ **Fax:** _____

E-Mail Address: _____

Currently E-File in the Following Jurisdictions: _____

Bar Identification Number (if applicable): _____ **State of:** _____

1. I affirm that I am authorized to prepare and file Proofs of Claim, Requests for Notice, Reaffirmation Agreements, Assignments of Claims and other similar creditor papers on behalf of the above named business/firm.
2. The above-named business/firm, through its authorized officers, directors and agents, understands that the use of its Limited-Use password to file a document in a bankruptcy case or proceeding in the United States Bankruptcy Court for the District of Columbia will constitute an act on behalf of the above-named business/firm under the United States Code, the Federal Rules of Bankruptcy Procedure, and any applicable non-bankruptcy law. For example, the User's signature on the document by way of the password constituting a signing of the document on behalf of the business/firm under Federal Rule of Bankruptcy Procedure 9011.

3. The above-named business/firm, through its authorized officers, directors and agents, understands that it is its responsibility to protect and secure the confidentiality of its password. If the above-named business/firm believes that its password has been compromised, then it is the responsibility of the above-named business/firm, through its authorized officers, directors and agents, to notify the Court in writing, immediately.
4. The registering User understands that it is the User's responsibility to notify the Court, immediately, of any change in my address, telephone number, fax number, or e-mail address.
5. Registration as a User constitutes waiver of the above-named business/firm's right, that would otherwise arise from a filing made by the User using the User's password to receive notice by first class mail (including a right arising from such filing to notice of entry of an order or judgment), and constitutes consent to receive such notice electronically instead. This waiver does not apply to service of a summons and complaint in an adversary proceeding under F.R. Bankr. P. 7004 or to service of papers commencing a contested matter (e.g., an objection to a proof of claim).
6. By affixing a User's electronic signature to a document and e-filing that document with the Court, the User certifies that the User has on file in the User's office the original signature of each other party whose signature appears on the document (or proof that the signature was authorized, in writing, to be affixed to the document). The User is required to retain the original signed document (or the proof of written authorization to sign) of all e-filed documents for a period of five (5) years.
7. By submitting this registration form the applicant agrees to adhere to the Court's Administrative Order Relating to Electronic Case Filing.
8. I, _____, hereby state that I am the
Name of registering User

_____ of _____
Title Name of Business/Firm

and am authorized to enter into this Limited-User Registration on its behalf.

Signature of Individual Signing on Behalf of Business

Date

Send Electronic Notices to these Additional E-mail Addresses:

I would like to receive electronic notification in the following cases (check as applicable):

- ☐ All cases and proceedings in which I am entitled to notice.
- ☐ The following additional cases or adversary proceedings (notification of all docket activity in each) (list case numbers):

Send Electronic Notice (check one): _____ of Each Filing or _____ as an End of Day Summary

Send Electronic Notices in the following format (check one):

- ☐ HTML or Netscape, ISP mail service (e.g. AOL, Hotmail, Yahoo, etc)
- ☐ Text for cc:mail; Groupwise, Outlook, Outlook Express, Other (please list)

Please return this form to:

CM/ECF Help Desk
U.S. Bankruptcy Court for the District of Columbia
Room 4400
333 Constitution Avenue, NW
Washington, DC 20001

or FAX to: 202-273-0049

Our CM/ECF Help Desk staff are available at 202-565-2506 to answer questions.